

STATE OF MARYLAND

*

NO. C-10-CR-23-000516

v.

*

IN THE CIRCUIT COURT FOR

TOMMY BEECHER CUPP

*

FREDERICK COUNTY, MD

CM

* * * * *

**STATE'S NOTICE OF INTENTION TO USE OUT OF COURT STATEMENTS
OF CHILD ABUSE VICTIMS AND REQUEST TO SET HEARING**

The State of Maryland, by Tammy M. Leache, Assistant State's Attorney for Frederick County, and pursuant to Criminal Procedure 11-304, states as follows:

A.

1. The State seeks to have the court admit into evidence in this proceeding out of court statements to prove the truth of the matters asserted therein, made by child victims under the age of 13 years, who are the victims of child abuse, second degree rape, second degree sexual offenses, third degree sexual offenses, and sex abuse of a minor.
2. The child victim is case, J.C., whose date of birth is November 10, 2011. The events occurred on or about April 1, 2022 through March 31, 2023, at which time the victim was under the age of 13 years.

B.

1. The statements were made to and are being offered by Meghan McGowan, a Child Protective Services employee, a person lawfully acting in the course of her profession when the statements were made.
2. The statements contained herein possess particularized guarantees of trustworthiness.
3. The children's statements are not admissible under any other hearsay exception.
4. This motion shall serve as the State's intention to introduce the contents of the following statements:
 - a) Those contained in CAC interview and notes of Meghan McGowan as sent in discovery on July 12, 2023.

WHEREFORE, the State requests this matter be set before the trial dates.

Tammy M. Leache /s/
TAMMY M. LEACHE
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of July, 2023, that a copy of this State's Notice of Intention to Use Out of Court Statements of Child Abuse Victims and Request to Set Hearing was sent via MDEC and/or Sharefile/Citrix, a secure file sharing service, to the designated e-mail address and/or service contact for Rachel Reyes, Esquire, the Attorney for Defendant herein.

Tammy M. Leache /s/
TAMMY M. LEACHE
ASSISTANT STATE'S ATTORNEY